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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 8th August, 1969:—

BILL No. 60 OF 1969

A Bill to amend the All India Institute of Medical Sciences Act, 1956.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the All-India Institute of Medical Sciences (Amendment) Act, 1969. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

25 of 1956.

2. In section 2 of the All-India Institute of Medical Sciences Act, 1956 (hereinafter referred to as the principal Act) the following new part shall be inserted at the end, namely:— Amendment of section 2.

“(g) ‘teaching faculty’ means the members of the medical profession who have been engaged for the fulfilment of the functions of the Institute as specified in section 14 of the Act.”.

Amend-
ment of
section 4.

3. In section 4 of the principal Act, the following new parts shall be inserted at the end, namely:—

“(h) five members of the teaching faculty of the Institute to be elected from among the members of the faculty, *ex officio*;

(i) the Chairman of the Staff Council as specified in section 11A of this Act, *ex officio*;

(j) the Chairman of the Students' Council as specified in sub-section (2) of section 11B, *ex officio*.”

Amend-
ment of
section 10.

4. In section 10 of the principal Act, in sub-section (1), the following proviso shall be inserted at the end, namely:—

“Provided that not less than one-half of the members of the Governing Body shall be from among the members of the teaching faculty.”

Insertion
of new
sections
11A and
11B.

5. After section 11 of the principal Act, the following new sections shall be inserted, namely:—

Creation
of a Staff
Council.

“11A. (1) There shall be a Staff Council consisting of representatives of the staff of the Institute who shall be elected from among the members of the staff of the Institute in such manner as may be prescribed by regulations.

(2) The Staff Council shall meet once every two months or more often, if necessary.

(3) The Staff Council shall elect from among themselves a Chairman who shall hold the office for a period of one year unless he is removed by a vote of a majority of the members of the Staff Council specially convened for the purpose.

(4) The Staff Council shall be concerned with all matters pertaining to the interests and welfare of the staff and its decisions shall be of a recommendatory nature.

Creation
of a
Students'
Council.

11B. (1) There shall be a Students' Council consisting of representatives of the students studying in the various institutions run by the Institute, elected in such manner as may be prescribed by regulations.

(2) The Students' Council shall meet once every two months and more often, if necessary.

(3) The Students' Council shall elect from among themselves a Chairman who shall hold office for a period of one year unless he is removed by a vote of a majority of the members of the Students' Council specially convened for the purpose.

(4) The Students' Council shall be concerned with all matters pertaining to the interests and welfare of the students and its decisions shall be of a recommendatory nature.”

6. In section 28 of the principal Act, in sub-section (2), the following clauses shall be inserted at the end, namely:—

Amend-
ment of
section 28.

“(j) the manner of constituting the Staff Council and the Students' Council, the term of office of, and the manner of filling vacancies among the members of the Staff Council and the Students' Council;

“(k) the administration of and the procedure to be followed by the Staff Council and the Students' Council in conduct of their business and discharge of their functions.”

STATEMENT OF OBJECTS AND REASONS

The All-India Institute of Medical Sciences has been statutorily declared as an institution of national importance. In recent times, there have been complaints about the working of the Institute which have **necessitated** appointment of special Committees to inquire into the working of the Institute. It is generally felt that most of these complaints and grievances have their root in the lack of proper understanding and co-ordination at the administrative and policy-making levels between the policy makers and those subordinate to them. This Bill seeks to induct into the policy-making and administrative body persons who are vitally concerned with the administrative process, *viz.*, the teaching faculty and the staff. The Bill also seeks to provide some voice to the students in the administration of the Institute which is only in keeping with the current thinking in the country among those concerned with the running of educational institutions. A Staff Council is also proposed to be set up for purposes of considering the grievances of the staff and matters pertaining to their welfare.

NEW DELHI;

GEORGE FERNANDES.

The 29th May, 1969

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for the creation of a Staff Council and a Students' Council. The amount of recurring expenditure on account of staff and stationary etc. for these Councils is likely to be in the neighbourhood of rupees five thousand a year. The Bill would not involve any non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to make rules to provide for the constitution, administration and working of the Staff Council and the Students' Council. The delegation of legislative power is of a normal character. Such power to frame rules already vests in the Central Government under section 28 of the parent Act.

BILL No. 56 OF 1969

A Bill further to amend the Wealth-Tax Act, 1957.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Wealth-tax (Amendment) Act, 1969. Short title
and com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

27 of 1957.

2. After section 16 of the Wealth-tax Act, 1957, the following new section shall be inserted, namely:— Insertion
of new
section
16A.

“16A. No order of assessment shall be made under section 16 at any time after— Time
limit for
comple-
tion of
assess-
ments and
re-assess-
ments.

(a) the expiry of two years from the end of the assessment year in which the wealth was first assessable; or

(b) the expiry of one year from the date of filing of a return or a revised return under section 15,

whichever is the latest:

Provided that for the purpose of this section returns for all the pending assessments shall be treated as having been filed in the assessment year 1968-69."

STATEMENT OF OBJECTS AND REASONS

During the last Budget Session an amendment was made in the Income-tax Act by which limitation for completion of assessments was reduced from four years to two years.

There is no such provision in the Wealth-tax Act with the result that the assessments of Wealth-tax are pending for the last so many years. It is necessary that a provision similar to that in the Income-tax Act should also be made in the Wealth-tax Act to minimise the pendency as well as to put all the direct taxes on the same footing.

BENI SHANKER SHARMA

NEW DELHI;
The 28th April, 1969.

RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION
OF INDIA

[Copy of letter No. 1/10/69-WT, dated the 28th June, 1969 from Shri Morarji Desai, Deputy Prime Minister and Minister of Finance to the Secretary, Lok Sabha.]

The Vice-President acting as President has given his recommendation under article 117(1) of the Constitution to the introduction in the Lok Sabha, by Shri Beni Shanker Sharma, Member, Lok Sabha, of the Wealth-tax (Amendment) Bill, 1969.

S. L. SHAKDHER,
Secretary.

